

EPA Information

Section 7, Land and Business (Sale and Conveyancing) Act 1994 and the role of the EPA

Updated May 2007*

EPA 514/07: This information sheet provides advice about the environmental information available to prospective buyers of property in South Australia.

Introduction

The *Land and Business (Sale and Conveyancing) Act 1994* and its *Regulations* are set in place to provide consumer protection for those buying property in South Australia. Section 7 of the Act specifies that a statement of government interests—on the required form (Form 1)—is to be provided by a vendor or their agent to a prospective buyer before settlement.

The Environment Protection Authority (EPA) has a statutory obligation under the *Land and Business (Sale and Conveyancing) Act* to provide information relating to environment protection; this information could include:

- charges and prescribed encumbrances affecting the land where an environment performance agreement, environment protection order, clean-up order or clean-up authorisation has been issued
- whether a current environmental authorisation (licence) under the *Environment Protection Act 1993* allows operation of a waste depot or the production of a listed waste
- whether the EPA holds a copy of any environmental assessment of the land or part of the land.

In addition to current information, the EPA maintains certain information relating to the history of land, such as:

- whether an environmental authorisation was ever issued but is no longer in force
- whether a licence to operate a waste depot or to produce waste of a prescribed kind was ever issued under the repealed South Australian *Waste Management Commission Act 1979*, or the repealed *Waste Management Act 1987*

* Updates to 'Further information'



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- whether there is any record of waste (within the meaning of the repealed Waste Management Act) having been deposited between 1 January 1983 and 30 April 1995.

To maintain records the EPA advises the Lands Titles Office (LTO)—through a linkage to the Land Ownership and Tenure System (LOTS)—of the title references of land where there is an environmental interest. This information is then provided to the potential buyer in the form of a Section 7 response letter.

Any person can make a direct Section 7 enquiry to the EPA. The EPA will then provide information about the environmental issues described above. The request must be made in writing and provide the title reference and address of each parcel of land in question.

The cost of a direct enquiry is \$15 per title reference.

Enquiries direct to the EPA should be addressed to:

Senior Administration Officer—Section 7
 Environment Protection Authority
 GPO Box 2607
 ADELAIDE SA 5001
 Facsimile: (08) 8204 2338
 Email: <epainfo@epa.sa.gov.au>

FURTHER INFORMATION

Legislation

Legislation may be viewed on the internet at: <www.legislation.sa.gov.au>

Copies of legislation are available for purchase from:

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| Service SA Government Legislation Outlet 101 Grenfell Street Adelaide SA 5000 | Telephone: Fax: Internet: Email: | 13 23 24 (08) 8204 1909 < shop.service.sa.gov.au > < servicesa@saugov.sa.gov.au > |
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For general information please contact:

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| Environment Protection Authority GPO Box 2607 Adelaide SA 5001 | Telephone: Facsimile: Freecall (country): Internet: E-mail: | (08) 8204 2004 (08) 8124 4670 1800 623 445 < www.epa.sa.gov.au > < epainfo@epa.sa.gov.au > |
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